

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

DOUGLAS MASTRIANO,

Plaintiff,

v.

JAMES GREGORY III, *et al.*,

Defendants.

**CIVIL ACTION NO.:
5:24-cv-00567-F**

**DEFENDANT GREGORY'S MOTION FOR LEAVE TO FILE
OVERSIZED BRIEF**

Under LCvR 7.1(e), Defendant James Gregory (erroneously sued as James Gregory III) respectfully requests that this Court grant leave to file an oversized brief of up to 35 pages in support of his Motion to Dismiss. Good cause exists for the requested relief as follows:

1. Defendant Gregory's current deadline to respond to the Complaint is September 19.
2. Defendant Gregory intends to file a Motion to Dismiss Plaintiff's Complaint.
3. Defendant Gregory needs additional space because Plaintiff Mastriano's Complaint contains over one hundred and thirty paragraphs and asserts nine causes of action, including multiple claims under the Racketeer Influenced and

Corrupt Organizations (RICO) Act and Sherman Antitrust Act. (Doc. No. 1, Compl ¶¶ 1,3.) Given Plaintiff's status as an elected official, the Complaint's defamation allegations also implicate important First Amendment concerns. (*Id.*)

4. On August 2, 2024, this Court granted the Motion for Leave to File Oversized Brief by the University of New Brunswick, Paul Mazerolle, David MaGee, Drew Rendall, Jeff Brown, Cindy Brown, Stephen Dutcher, Sean Kennedy, Erin Morton, Matthew Sears, Lee Windsor, Stefanie Hunt-Kennedy, Carolyn MacDonald, Sasha Mullaly, Lisa Todd, Sarah-Jane Corke, Bonnie Huskins, the Estate of Elizabeth Mancke, and Angela Tozer (collectively referred to as "the University Defendants"), permitting the University Defendants to file a motion to dismiss 35 pages in length. (Doc. No. 11).

5. Pursuant to LCvR 7.1(j), counsel for Defendant Gregory has conferred with counsel for Plaintiff. Plaintiff's counsel does not object to Defendant Gregory's Motion for Leave to File Oversized Brief.

6. A proposed order will be submitted according to the Local Rules.

RELIEF REQUESTED

WHEREFORE, Defendant Gregory respectfully requests that this Court enter an Order allowing him to file a Motion to Dismiss and Brief in Support up to 35 pages in length.

Respectfully Submitted,

/s/ Robert D. Nelon

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